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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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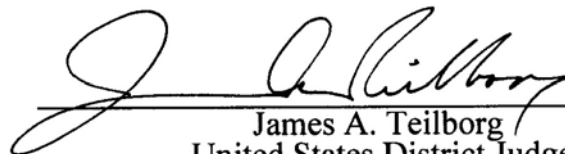
9 United States of America,) CR 03-856-PHX-JAT
10 Plaintiff - Respondent,) CV 04-2550-PHX-JAT (ECV)
11 vs.) **ORDER**
12)
13 Joel Guzman-Lopez,)
14 Defendant - Movant.)
15 _____)

16 This Court “may accept, reject, or modify, in whole or in part, the findings or
17 recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). It is “clear that the
18 district judge must review the magistrate judge’s findings and recommendations *de novo if*
19 *objection is made*, but not otherwise.” *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121
20 (9th Cir. 2003) (*en banc*) (emphasis in original); *Schmidt v. Johnstone*, 263 F.Supp.2d 1219,
21 1126 (D.Ariz. 2003) (“Following *Reyna-Tapia*, this Court concludes that *de novo* review of
22 factual and legal issues is required if objections are made, ‘but not otherwise.’”). District
23 courts are not required to conduct “any review at all . . . of any issue that is not the subject
24 of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (emphasis added); *see also* 28
25 U.S.C. § 636(b)(1) (“the court shall make a *de novo* determination of those portions of the
26 [report and recommendation] to which objection is made.”).

1 In this case, the Report and Recommendation was issued on October 21, 2005.
2 Defendant/Movant has not filed any objections to the Report and Recommendation. Based
3 on the foregoing,

4 **IT IS ORDERED** that the Report and Recommendation (Doc. #26) is accepted and
5 adopted; the Motion to vacate/set aside sentence (Doc. #22) is denied, and the Clerk of the
6 Court shall enter judgment accordingly.

7 DATED this 7th day of December, 2005.

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11 James A. Teilborg
12 United States District Judge
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